

TENTH DAY.

(Monday, January 24, 1927.)

The House met at 3 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Loftin.
Albritton.	Long.
Alexander.	Loy.
Anderson.	McCombs.
Avis.	McGill.
Barnett.	Merritt.
Barron.	Minor.
Bass.	Montgomery.
Bateman.	Morse.
Beck.	Moursund.
Bird.	Murphy.
Black.	Nabors.
Boggs.	Nicholson.
Boon.	Olsen.
Branch.	Parish of Runnels.
Brown.	Parrish of Travis.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Poage.
Dale.	Pool.
Davis.	Pope.
DeBerry.	Porter.
Dunlap.	Powell.
Durham.	Purl.
Duvall.	Ramsey.
Enderby.	Renfro
Eickenroht.	of Angelina.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Foster.	Rowell.
Gates.	Runge.
Gibson.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shaver.
Gray.	Shearer.
Hagaman.	Sheats.
Hall.	Shirley.
Harding.	Simmons.
Harman.	Sinks.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Jacks.	Snelgrove.
Johnson.	Stell.
Jones.	Stevenson.
Justice.	Storey.
Kemble.	Stout.
Kennedy.	Sutton.
Kincaid.	Swain.
King of Hopkins.	Taylor.
King of	Teer.
Throckmorton.	Turner.
Kirby.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Lipscomb.	Walker.

Wallace	Williams
of Freestone.	of Sabine.
Wallace of Panola.	Williams
Wallace of Smith.	of Travis.
Ware.	Williamson.
Wassell.	Woodall.
Webb.	Woodruff.
Wells.	Young.
Whitaker.	

Absent.

Bonham.	Reagan.
Kinnear.	Tillotson.

Absent—Excused.

Cummings.	Kayton.
Daniel.	Kenyon.
Denman.	Masterson.
Dielmann.	McKean.
Finlay.	Moore.
Fly.	Petsch.
Fuchs.	Rawlins.
Holder.	Smith of Atascosa.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Kayton for today, on motion of Mr. Pope.

Mr. Denman for today, on motion of Mr. Sutton.

Mr. Kenyon and Mr. Smith of Atascosa for today, on motion of Mr. Shearer.

Mr. Dielmann for today, on motion of Mr. Williamson.

Mr. Masterson for today, on motion of Mr. Shearer.

Mr. Finlay for today, on motion of Mr. Merritt.

Mr. Holder for today, on motion of Mr. Purl.

The following members were granted leaves of absence on account of sickness:

Mr. McKean for today and the balance of the week, on motion of Mr. Rogers of Hays.

Mr. Cox for today, on motion of Mr. Smith of Nueces.

The following members were granted leave of absence for today and tomorrow that they might attend the funeral of Hon. Norman G. Kittrell: Messrs. Morse, Rawlins, Fly and Cummings.

TO ADOPT STATE SONG.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 9, To adopt State song.

Whereas, The State of Texas has not heretofore officially designated a State song; and

Whereas, Miss Radie Brittian, a beloved native Texas girl, and an accomplished musician of Amarillo, has written and set to music an original song, entitled "Hail, Texas," with the following words:

Hail, Texas!

A-rise, raise your eyes to the bound-less blue skies, where the Star Spang-led Banner o'er fair Texas flies!

Where Sam Hous-ton and Bow-ie have fought to their death, where brave Tra-vis and Crockett have drawn their last breath!

For fair Tex-as they died but their fame doth a-bide in our hearts deep-est core, ever-more!

Rise to the past where great men fought a-breast for the free-dom of Tex-as 'mid vic-to-ri-ous blast!

San Ja-cin-to, re-mem-ber, re-call A-lamo, now the bonnie blue bon-net cov-ers up friend and foe!

And fair Texas is free as it al-ways shall be since the great days of yore, ev-er-more!

With the following chorus:

O, Tex-as, Tex-as, land of the free, our hearts we give up unto thee;—

And our prayers shall rise to the bound-less blue skies, for the land where our home-stead lies; Hail, Texas!

Whereas, the members of the Fortieth Legislature heard with approval Mrs. May Peterson Thompson of Amarillo sing the above song as a part of the official program at the inauguration of the Hon. Dan Moody, as Governor of Texas on the 18th day of January, 1927; therefore, be it

Resolved by the House of Representatives of the Fortieth Legislature, the Senate concurring, That the song entitled "Hail, Texas," written by Miss Radie Brittian of Amarillo is hereby designated the official song for the State of Texas.

The resolution was read second time.

On motion of Mr. Jacks, the resolution was referred to the Committee on State Affairs.

BILLS WITHDRAWN.

On motion of Mr. Alexander, House bill No. 251 was withdrawn.

On motion of Mr. Woodall, House bill No. 234 was withdrawn.

BILLS RE-REFERRED.

On motion of Mr. Holland, House bill No. 268 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Judicial Districts.

On motion of Mr. McGill, House bill No. 170 was withdrawn from the Judiciary Committee and referred to the Committee on Criminal Jurisprudence.

(Pending reading of House bills Mr. Purl and Mr. Wells occupied the chair temporarily.)

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

By Mr. Young (by request):

H. B. No. 275, A bill to be entitled "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which such applications may be made and elections held to remove county seats in certain instances, and declaring an emergency."

Referred to Committee on Counties.

By Mr. McCombs:

H. B. No. 276, A bill to be entitled "An Act to amend Article 538 of the Code of Criminal Procedure and to repeal Articles 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, and 551 thereof, relating to continuances."

Referred to Committee on Criminal Jurisprudence.

By Mr. McCombs:

H. B. No. 277, A bill to be entitled "An Act amending Article 2167 and repealing Article 2168 of the Revised Civil Statutes of 1925, relating to continuances."

Referred to Judiciary Committee.

By Mr. Smith of Atascosa:

H. B. No. 278, A bill to be entitled "An Act to amend Article 779, of Title 22, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Dielmann:

H. B. No. 279, A bill to be entitled "An Act to amend Article 3935, of Title 61, Chapter 2, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Tillotson, Mr. Williamson and Mr. Fly:

H. B. No. 280, A bill to be entitled "An Act to provide authority to the State Highway Commission to select and maintain detour roads through counties where construction of designated parts of the State highway system is being carried on, and setting forth the duties of the commission and of the counties therewith; and providing authority to county commissioners courts to select and maintain temporary detour roads in the counties where construction of any public road is being carried on, not part of the State system of designated highways, and setting forth the duties of the commissioners court therewith."

Referred to Committee on Highways and Motor Traffic.

By Mr. Sutton:

H. B. No. 281, A bill to be entitled "An Act to amend Subdivision 3, of Article 3926, Revised Statutes, 1925, relating to the payment of salary to the county judge by the commissioners court for presiding over said court, ordering elections, making returns thereof, hearing and determining civil causes, and transacting all other official business by fixing a scale for such salary with reference to population of counties and providing that the amount so paid shall be ex-officio, and not accountable under the maximum fee bill, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Holder:

H. B. No. 282, A bill to be entitled "A Special Act applying to Dallas county only, providing for the maintenance and operation of a city-county hospital system for the city of Dallas and Dallas county, and for the appointment of a governing board, terms of office of the governing board, for the levying and collection of taxes, for the disbursement of funds, and for the government and operation for a complete general city-county hospital system, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. King of Throckmorton:

H. B. No. 283, A bill to be entitled "An Act to amend Article 710 of the Code of Criminal Procedure, as recodified and adopted at the Regular Session of the Thirty-ninth Legislature, 1925, relating to the right of the defendant in

a criminal action to testify in his own behalf, so as to provide that the failure of the defendant to so testify may be commented upon by counsel in the cause, and may be considered, discussed or alluded to by the jury in their deliberations, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. King of Throckmorton, Mr. Cummings and Mr. Poage:

H. B. No. 284, A bill to be entitled "An Act to repeal Chapter 185 of the Acts of the Regular Session of the Thirty-ninth Legislature of Texas."

Referred to Judiciary Committee.

By Mr. Shearer and Mr. Kincaid:

H. B. No. 285, A bill to be entitled "An Act to prevent the spread of disease through surface privies and cesspools, prescribing certain regulations, locating authority for the enforcement of same and placing of penalty, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Denman:

H. B. No. 286, A bill to be entitled "An Act to amend Article 541, Chapter 4, Title 7, of the Revised Code of Criminal Procedure of 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Denman:

H. B. No. 287, A bill to be entitled "An Act to amend Article 543, Chapter 4, Title 7, of the Revised Code of Criminal Procedure of 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Denman:

H. B. No. 288, A bill to be entitled "An Act to repeal Article 542, Chapter 4, Title 7, of the Revised Code of Criminal Procedure of 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Denman:

H. B. No. 289, A bill to be entitled "An Act to amend Article 539, Chapter 4, Title 7, of the Revised Code of Criminal Procedure of 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Denman:

H. B. No. 290, A bill to be entitled "An Act to repeal Article 544, Chapter

4, Title 7, of the Revised Code of Criminal Procedure of 1925."

Referred to Committee on Criminal Jurisprudence.

By Mr. Smyth:

H. B. No. 291, A bill to be entitled "An Act amending Articles 3334 and 3336 of the Revised Civil Statutes of 1925, relating to the manner of service of citation on application for the probate of wills, and inserting Article 3334a, validating the service of citation and the probating of wills, in so far as notice is concerned, where citation has been made by publication, as provided for by Article 28, without posting notices, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Boggs and Mr. Cummings:

H. B. No. 292, A bill to be entitled "An Act providing for the extermination of rattlesnakes; authorizing the commissioners courts of the several counties to use part of the revenues of the county for paying a bounty for the killing of rattlesnakes, and providing the method of expenditure, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Olsen, Mr. Pearce and Mr. Black:

H. B. No. 293, A bill to be entitled "An Act to provide that each party owning adjoining lands and using the same for stock purposes shall build and maintain their portion of the fence required to be built to separate said lands."

Referred to Judiciary Committee.

By Mr. Parish of Runnels:

H. B. No. 294, A bill to be entitled "An Act validating the appointment of guardians when citation was published, as provided in Chapter 179, Acts, Regular Session, 1917, being now Article 28 of the Revised Civil Statutes of Texas, 1925, and where such citation was not published as provided in Article 4115 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Pope, Mr. Cummings, Mr. King of Throckmorton, Mr. Hall and Mr. Merritt:

H. B. No. 295, A bill to be entitled "An Act to create the One Hundred and Fourth Judicial District of Texas and designating the counties constituting said district, and fixing the time for holding court therein; reorganizing the

Thirty-ninth Judicial District of Texas, and fixing the time for holding court in the various counties of said district; providing for the appointment of a judge for the newly created One Hundred and Fourth Judicial District of Texas, and for the appointment of district attorneys for the Thirty-ninth Judicial District of Texas; providing for the transfer of cases from the One Hundred and Fourth Judicial District to the Forty-second Judicial District, and vice versa; providing that the district clerk of Taylor county shall be the clerk in Taylor county of said newly created One Hundred and Fourth Judicial District, and providing the manner of filing cases and numbering same in the One Hundred and Fourth Judicial District and in the Forty-second Judicial District."

Referred to Committee on Judicial Districts.

By Mr. Boggs:

H. B. No. 296, A bill to be entitled "An Act to create a lien and protect mechanics, artisans, and other workmen in the value of their labor done and material furnished in the repair, rebuilding, or reconstruction of automobiles and other motor vehicles, making the lien therefor the superior lien thereon."

Referred to Judiciary Committee.

By Mr. Runge and Mr. Stout:

H. B. No. 297, A bill to be entitled "An Act providing for the erection and maintenance of overground or underground crossings for all vehicles and pedestrians at all points where a railroad track crosses any Federal or State designated highway within the bounds of the State of Texas."

Referred to Committee on Common Carriers.

By Mr. Merritt:

H. B. No. 298, A bill to be entitled "An Act creating a more efficient road system for Dickens county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof."

Referred to Committee on Highways and Motor Traffic.

By Mr. Kirkland:

H. B. No. 299, A bill to be entitled "An Act making it unlawful for any person who rents or leases land from another to wilfully appropriate to his own use or injure or destroy property, real or personal, on or attached to said land belonging to the owner of said land without the consent of the owner, providing for a fine not exceeding two hundred dollars for a violation, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Stevenson:

H. B. No. 300, A bill to be entitled "An Act requiring uniform fire hose couplings and fire hydrant hose outlets in all cities and towns having public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses necessary for placing in effect the provisions of this act, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Hornaday:

H. B. No. 301, A bill to be entitled "An Act to provide for a uniform fee to be paid by teachers to the State Department of Education for State teachers' certificates, and declaring an emergency."

Referred to Committee on Education.

By Mr. Runge:

H. B. No. 302, A bill to be entitled "An Act to amend Article 2208 of Title 42 of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Faulk:

H. B. No. 303, A bill to be entitled "An Act to amend Article 3135 of the Revised Civil Statutes of 1925, relating to returns to be made by county clerks for district offices in districts composed of only one county, and repealing laws or parts of laws in conflict therewith."

Referred to Judiciary Committee.

By Mr. Webb and Mr. Gates:

H. B. No. 304, A bill to be entitled "An Act making an appropriation to counties to which an unorganized county is attached for judicial purposes to pay for employing a skilled appraiser to appraise property in such unorganized

counties; providing how it shall be made, and declaring an emergency."

Referred to Committee on Appropriations.

HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were read first time and referred to the Committee on Constitutional Amendments:

By Mr. Cummings:

H. J. R. No. 18, Proposing an amendment to Article 4, Section 11, of the Constitution of the State of Texas, providing for the regulation and prescribing the manner of granting reprieves, commutations of punishment, and pardons, and providing for the submission of such amendment for ratification or rejection at the next general election, and making an appropriation to defray the expenses of submitting and holding an election on said amendment.

By Mr. Cummings:

H. J. R. No. 19, Proposing an amendment to Article 3, Section 24, of the Constitution of the State of Texas, providing for the salary of members of the Legislature, providing the length of said session, providing for the mileage and per diem for the members of the Legislature in going to and returning from the seat of government, providing for the method of computing said mileage and per diem in going to and returning from all sessions, and providing for the submission of such amendment for ratification or rejection at the next general election; and making an appropriation to defray the expenses of submitting and voting on said amendment.

By Mr. Nabors, Mr. Simmons, Mr. Enderby, Mr. Graves, Mr. Boon and Mr. Wallace of Smith:

H. J. R. No. 20, Proposing an amendment to Section 2, Article 8, of the Constitution of the State, so as to authorize the Legislature to exempt from taxation any property owned by a church or by a strictly religious society devoted exclusively to use as a dwelling place for the ministry of such church or religious society, providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

By Mr. Boggs:

H. J. R. No. 21, Proposing an amend-

ment to Section 15, Article 8, of the Constitution of the State of Texas, providing that all suits, or seizure of property, for delinquent taxes shall be brought within ten years from the date said taxes become delinquent, and providing that no suits shall be brought or any property seized for delinquent taxes due prior to the year 1918.

ADJOURNMENT.

Mr. Stevenson moved that the House adjourn until 10 o'clock a. m. tomorrow out of respect to the memory of Hon. Norman G. Kittrell.

Rev. J. C. Mitchell, Chaplain of the House, then offered prayer in memory of the honorable statesman.

The motion to adjourn prevailed, and the House, accordingly, at 3:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Agriculture: House bills Nos. 141, 49, 129, 163.

Judiciary: House bills Nos. 35, 56, 150, 231, 97.

Revenue and Taxation: House bills Nos. 164, 125, 137, 6, 21.

Constitutional Amendments: House joint resolutions Nos. 5, 16, 7, 4.

The following standing committees have today filed adverse reports on bills as follows:

Constitutional Amendments: House joint resolutions Nos. 1, 3, 17.

Revenue and Taxation: House bills Nos. 21, 125.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 21, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 6, A bill to be entitled "An Act providing for the redemption of property sold under a judgment for taxes levied by any district organized

under the laws of the State of Texas, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, January 20, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 52, A bill to be entitled "An Act to amend House bill No. 369 of the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 86, and providing for the reorganization of the Thirty-first Judicial District of Texas; naming the counties constituting the same; creating and organizing the One Hundred and Seventh Judicial District of Texas, and naming the counties therein; fixing the times and terms of the district courts, etc.,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, January 21, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 138, A bill to be entitled "An Act to create Road District No. 4 of Wilbarger county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization of certain road bonds thereof, and providing for the issuance and sale thereof; authorizing the commissioners court to levy and provide for the assessment and collection of general ad valorem taxes on all taxable property in said road district in payment of principal and interest on said bonds; approving and validating all orders of the commissioners court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, January 20, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 208, A bill to be entitled
"An Act to create a more efficient road
system for Webb county, Texas; provid-
ing that the general road laws of the
State of Texas shall be applicable to
said county, except as herein provided;
providing that nothing in this act shall
affect in anywise road bonds heretofore
issued by said county; validating an
election for the issuance of special road
bonds of said county; validating all
orders of the commissioners court in
respect to said election; validating the
levy of taxes in payment thereof and
constituting such orders legal evidence;
enacting provisions of necessary and in-
cidental to the subject and purpose of
this act, and declaring an emergency."

Have carefully compared same and
find it correctly engrossed.

TAYLOR, Chairman.

REPORT OF COMMITTEE ON EN-
ROLLED BILLS.

Committee Room,
Austin, Texas, January 20, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 208, "An Act to create a
more efficient road system for Webb
county, Texas; providing that the gen-
eral road laws of the State of Texas,
shall be applicable to said county, ex-
cept as herein provided; providing that
nothing in this act shall affect in any-
wise road bonds heretofore issued by
said county; validating an election for
the issuance of special road bonds of
said county; validating all orders of
the commissioners court in respect to
said election; validating the levy of
taxes in payment thereof and constitut-
ing such orders legal evidence; enact-
ing provisions necessary and incidental
to the subject and purpose of this act,
and declaring an emergency."

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

In Memory
of
Baylor Boys Killed In Accident

Mr. Poage offered the following resolution:

Whereas, The entire State of Texas is shocked and grieved by the terrible accident at Round Rock in which ten of the State's noblest young men were hurled into eternity before an onrushing express train; and

Whereas, This accident stands almost without parallel in the history to Texas for ghastly horror and startling unexpectedness; and

Whereas, The victims of this accident were the official representatives of the State's oldest institution of higher learning, and personally represented homes from all parts of the State; and

Whereas, In this tragic hour these young men, and especially Captain Clyde Kelley of Waco, proved that they were heroes, cool and brave, gladly going to certain death in the attempt to save the life of a friend, and worthy in every way to be acclaimed true sons of those great spirits who died at the Alamo and Goliad; and

Whereas, All Texas has suffered a grievous and irreparable loss in the death of these young men; and

Whereas, This House especially grieves and sympathizes with the bereaved stricken relatives and friends in all parts of the State; therefore, be it

Resolved by the House of Representatives of the Legislature of Texas, individually and as the Representatives of the people of the State of Texas, we express our overwhelming sorrow at the death of these splendid young men and extend our heartfelt sympathy to the bereaved families and friends; and be it further

Resolved, That we express our highest praise and respect for the self-sacrificing heroism displayed by Captain Clyde Kelley and others in this last crisis; and be it further

Resolved, That the Board of Control be requested to lower the flag over this Capitol to half-mast for one full day's time as a token of the respect the State feels for these noble dead, and that a copy of these resolutions be sent the Faculty of Baylor University at Waco, Texas, and to the families of the deceased, and that another copy be printed in the Journal of the House.

POAGE,
JONES,
HARMAN.

The resolution was read second time, and was adopted by a rising vote.

In Memory
of
Hon. Norman G. Kittrell

On motion of Mr. Kirby, by unanimous consent, the regular order of business was suspended for the purpose of considering the following resolution:

Whereas, The Honorable Norman G. Kittrell, member of the House of Representatives of the Fortieth Legislature, has been called by the Great Father to his Eternal Home; and

Whereas, The State has lost one of its most faithful sentinels of long and illustrious service, both as lawmaker and jurist; and

Whereas, This body has been deprived of a valuable counsellor who sat in its midst and graced its sessions at intervals for many years, a contributor to the cause of good government; and

Whereas, By his death the people of Texas not only lose a valuable public servant but an author of merit, and citizen of exalted character, a man whose life bore no stain, and whose purpose was without flaw; therefore, be it

Resolved by the House, That a page be set aside in the Journal of the House to his memory; that we give expression of our heartfelt sympathy to the family in their gloom, and that when the House adjourns today it be out of respect to him.

Resolved further, That the Speaker appoint a committee of five to arrange a Memorial Session of this House that just tribute may be paid to the life and service of this great citizen.

KIRBY,
ACKER,
HOLLAND.

The resolution was read second time.

On motion of Mr. Kirby, the resolution was adopted by a rising vote.